

## **R381-40-7. PERSONNEL AND TRAINING REQUIREMENTS.**

This section provides an overview of the personnel and training requirements for those individuals involved with a child care facility.

### **Rationale/Explanation**

Licensing rules require that individuals who work or associate with a child care program (including employees, volunteers, parents, household members, guests, etc.) have at least basic qualifications to do so. Individuals who are qualified and trained are more likely to have appropriate interactions with the children they associate with. Education is an ongoing, lifelong process and child care staff need continuous education about health and safety related subject matter. Staff members who are current on health related topics are better able to prevent, recognize, and correct health and safety problems. CFOC 4th ed. Guiding Principle 17. p. xx.

The National Association for the Education of Young Children's (NAEYC) recommends a multilevel training program that addresses both preservice and ongoing training for administrators and staff. CFOC 4th ed. Standard 1.3.2.1 p.p. 12.

### *Preservice Training*

Any individual who is newly employed by the facility is required to receive preservice training.

Preservice training consists of at least 2.5 hours of training and must be:

- Completed before (but not earlier than 6 months before) beginning job duties, or
- Completed no later than 10 working days after beginning job duties as long as the individual does not have unsupervised contact with any child in care before their preservice training is completed.

Additional topics that are crucial for providers and staff and count as CCL required training time include:

- Culturally and linguistically appropriate practices to meet the developmental needs of children
- Current research and best practices relating to the skills necessary to engage families
- Culturally and linguistically appropriate practices to engage families

### *Annual Child Care Training*

Individuals who are required to have annual child care training include:

- All regular employees who care for children regardless of the number of hours worked each week. This includes employees who have dual roles such as a driver who cares for the children when not driving.

Additional topics that are crucial for providers and staff and count as CCL required training time include:

- Culturally and linguistically appropriate practices to meet the developmental needs of children
- Current research and best practices relating to the skills necessary to engage families
- Culturally and linguistically appropriate practices to engage families

Employees and volunteers who never have caregiving duties (i.e., they are not responsible for meeting the needs of the children, including protection and supervision), such as cooks, secretaries, receptionists, bookkeepers, custodians, drivers, and maintenance workers, do not need to complete annual training.

Annual child care training hours are calculated from the license start date through the license end date. To be in compliance:

- Caregivers must complete at least 10 hours of child care training each license year.
- The provider must ensure that each individual's required annual child care training is complete before the license expiration date. A child care license will not be renewed until training hours have been completed for all individuals as required by rule.

- (1) The provider shall ensure that employees and volunteers are supervised, qualified, and trained as stated under R381-40 to:**
- (a) meet the needs of the children; and**
  - (b) comply with each requirement**

### **Compliance Guidelines**

Volunteers who provide caregiving duties will be required to complete pre service training.

### **Rationale/Explanation**

Staff training in child development and/or early childhood education is related to positive outcomes for children. Everyone providing service to, or interacting with, children in a center contributes to the child's total experience. CFOC 4th ed. Standard 1.3.2.3 p.p. 14.

- (2) The provider shall ensure that the preschool program has a qualified director as required under Section R381-40-7.**

### **Rationale/Explanation**

The facility should have an identifiable governing body or person with the responsibility for and authority over the operation of the center or program. CFOC 4th ed. Standard 9.1.0.1 p.p. 371.

### Compliance Guidelines

- To be considered qualified, the director must meet the requirements described in 40-7(3) and 40-7(4).
- More than one director may be listed on a facility's license, as long as each individual meets all the director qualifications as defined in rule.

### Risk Level

Moderate

### Corrective Action for 1st Instance

Citation Warning when:

There is no director or the director is not at least 21 years old

### (3) The provider shall ensure that the director:

- (a) is at least 21 years old;
- (b) passes a CCL background check;
- (c) receives at least 2-1/2 hours of preservice training before beginning job duties;
- (d) completes the new director training offered by the department within 60 working days of assuming director duties;
- (e) knows and follows any applicable laws and requirements under R381-40; and
- (f) completes at least 10 hours of child care training each year based on the facility's license date, or at least 45 minutes of child care training each month they work if hired partway through the facility's licensing year.

### Rationale/Explanation

The director of the facility is the team leader of a small business. Both administrative and child development skills are essential for this individual to manage the facility and set appropriate expectations. The director of a program plays a pivotal role in ensuring the day-to-day smooth functioning of the facility within the framework of appropriate child development principles and knowledge of family relationships CFOC 4th ed. Standard 1.3.1.1 p.p. 11.

### Compliance Guidelines

- Personnel records must verify that the director has completed preservice and other training as required by rule.
  - Directors of new facilities and newly hired directors are required to attend the new director training.

- When an owner is also the director, the individual must take both the new director training and the new provider training from CCL.
- Training schedules and links to register can be found on the CCL website under [“Trainings”](#).

### Risk Level

Moderate

### Corrective Action for 1st Instance

Citation Warning when the director:

- Did not receive 2-1/2 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Has not completed New Director Training and it is outside of the required time frame.
- Did not complete the annual child care training hours by the license expiration date.

### Risk Level

Low

### Corrective Action for 1st Instance

Warning when the director:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.
- Has completed New Director Training, but it was completed outside of the required time frame.

- (4) The provider shall ensure that new directors have one of the following educational credentials:
- any bachelor's or higher education degree;
  - at least 60 clock hours of approved Utah Early Childhood Career Ladder courses in child development, social/emotional development, and the child care environment; or 60 clock hours of equivalent training as approved by the department;
  - at least 12 college credit hours of child development courses;
  - a currently valid national certification such as a Certified Childcare Professional (CCP) issued by the National Child Care Association, a Child Development Associate (CDA) issued by the Council for Early Childhood Professional Recognition, or other equivalent credential as approved by the department;
  - at least a Level 9 from the Utah Early Childhood Career Ladder system;
  - a National Administrator Credential (NAC) and at least 60 clock hours of approved Utah Early Childhood Career Ladder courses in child development, social and emotional development, and the child care environment; or 60 clock hours of equivalent training as approved by the department; or
  - proof of at least five years of early education teaching experience.

### Rationale/Explanation

College level coursework has been shown to have a measurable, positive effect on quality child care, whereas experience by itself has not. CFOC 4th ed. Standard 1.3.1.1 p.p. 11.

### Compliance Guidelines

- The provider must ensure that the director has the required educational credentials and that documentation of the director's credentials has been submitted to CCL for verification.
- CCL must receive a copy of the certificate of completion or transcript that verifies the completion of a course.
- A course must appear on an official transcript from an accredited college or university in order to be counted toward college credit. Continuing Education Units (CEUs) are not the same as college credits.
- Successful completion of a college course means a passing grade of C or better.
- CDA and CCP certificates must be current in order to meet the educational qualifications of this rule.
- A Montessori credential is considered equivalent to a CDA or CCP.
- Proof of at least five years of early education teaching experience.

To prove the applicant meets the requirement of 5 years of early education teaching experience, there is a Preschool Director Credential form available as technical assistance under Forms and Documents.

Examples of accepted early education teaching experience include:

- Being a caregiver, volunteer, or student intern at a state licensed, exempt, or legally unlicensed child care facility
- Working as a Prek-3rd grade educator or paraprofessional at a public or private school.

Examples of not accepted experience:

- Parenting your own children
- Babysitting
- Working as a nanny

To obtain more information about educational courses and credentials approved by CCL, refer to:

- [Care About Childcare](#)
- [National Institute of Child Care Management \(NICCM\)](#)
- [National Early Childhood Program Accreditation \(NECPA\)](#)
- [ChildCare Education Institute \(CCEI\)](#)
- [Council for Professional Recognition](#)
- [The Care Courses](#)

- (5) The provider shall ensure that the director is on duty at the facility for at least half of the time every week the program is open.

#### Compliance Guidelines

- The director must be on duty for at least half the hours the program operates each week. For example, if the facility is open 30 hours a week, the director must be on duty at the facility for 15 of those hours.
- This rule does not prevent the director from taking a vacation or leave as long as there is a director designee.
- If a director will be absent from the facility for longer than three months (for example, due to maternity leave), the provider must apply to CCL for a change of director and ensure that a qualified director is present.

#### Risk Level

Moderate

#### Corrective Action for 1st Instance

Citation Warning

- (6) The provider shall ensure that there is a director designee with authority to act on behalf of the director in the director's absence.

#### Rationale/Explanation

There should be written delegation of administrative authority, designating the person in charge of the facility and the person(s) in charge of individual children, for all hours of operation. CFOC 4th ed. Standard 9.1.0.2 p.p. 372.

#### Compliance Guidelines

- The director designee may have caregiving duties. However, when the director is absent, the director designee must have sufficient freedom from other responsibilities to ensure that the health and safety of the children is maintained and to respond to any emergencies.
- Upon arrival at an on-site inspection, a licenser will ask to meet with the director to begin the inspection. If the director is not present, the licenser will ask to meet with the director designee.
- There may be more than one director designee, as long as they meet the requirements of 40-7(7).
- The name of the director designee does not have to be posted.

#### Risk Level

Moderate

#### Corrective Action for 1st Instance

## Citation Warning

**(7) The provider shall ensure that the director designee:**

- (a) is at least 21 years old;**
- (b) passes a CCL background check;**
- (c) receives at least 2-1/2 hours of preservice training before beginning job duties;**
- (d) knows and follows any applicable laws and requirements under R381-40; and**
- (e) completes at least 10 hours of child care training each year based on the facility's license date, or at least 45 minutes of child care training each month they work if hired partway through the facility's licensing year.**

### Compliance Guidelines

- The director designee must pass a background check in accordance with rules in “Section 8: Background Checks.”
- Personnel records must verify that the director designee has completed all training as required by rule.
- The director designee must be at least 18 years old.

### Risk Level

Moderate

#### Corrective Action for 1st Instance

Citation Warning when the director designee:

- Is younger than 18 years old.
- Did not receive 2-1/2 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the annual child care training hours by the license expiration date.

### Risk Level

Low

#### Corrective Action for 1st Instance

Warning when the director designee:

- Is at least 18 years old but not yet 21 years old.
- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

**(8) The provider shall ensure that the director or the director designee is present at the facility when the program is open for care.**

### Rationale/Explanation

The well-being of the children, the confidence of the parents/guardians of children in the facility's care, and the high morale and consistent professional growth of the staff depend largely upon the knowledge, skills, and dependable presence of a director who is able to respond to long-range and immediate needs and able to engage staff in decision making that affects their day-to-day practice CFOC 4th ed. Standard 1.3.1.1 p.p. 11.

### Compliance Guidelines

It is a rule violation if the child care program staff state that the program does not have a director designee or they do not know who the director designee is when the director is absent.

### Risk Level

Moderate

### Corrective Action for 1st Instance

Citation Warning

#### (9) The provider shall ensure that caregivers:

- (a) are at least 16 years old;
- (b) pass a CCL background check;
- (c) receive at least 2-1/2 hours of preservice training before caring for children;
- (d) know and follow any applicable laws and requirements under R381-40;
- (e) complete at least 10 hours of child care training each year, based on the facility's license date, or at least 45 minutes of child care training each month they work if hired partway through the facility's licensing year; and
- (f) do not have unsupervised contact with any child in care, including during offsite activities and transportation, if the caregivers are younger than 18 years old.

### Rationale/Explanation

Many children attend child care programs every day. It is critical that they have the opportunity to grow and learn in a healthy and safe environment with caring and professional caregivers. The amount of education and child care experience impacts a caregiver's ability to respond appropriately to the needs of children. CFOC 4th ed. Standard 1.3.2.3 p.p. 14.

### Compliance Guidelines

- Caregivers may also be called teachers.
- Individuals who are younger than 16 years old are not approved to be caregivers.
  - It is a lack of supervision if a child is left in the care of an individual younger than 16 years old.
- Caregivers who are 16 or 17 years old cannot be left unsupervised in a room or area, without another caregiver who is at least 18 years old, for more than two hours per group. Caregivers



who are 16 and 17 years old may only be unsupervised with children in care if the director or director designee is at the facility or on the off-site activity.

- Caregivers who are 16 or 17 years old may be left unsupervised in a room or area with a group of children for up to two hours per group.
- Each caregiver must pass a background check according to the rules found in “Section 8: Background Checks.”
- Records must verify that each caregiver completed preservice and annual child care training as required by rule.
  - Any regular employee who cares for children (regardless of the number of hours) is required to have annual child care training.
- Individuals who are hired within 60 calendar days before the license expires must complete the prorated number of training hours, but their review of all of the training topics is not required until the provider’s next license year.
- If a staff member changes from a position that does not require annual training to a position that does, the total number of required training hours will be counted from the start date of their new position.
- When an individual is on approved leave of absence for more than one month, such as maternity leave, 45 minutes for every full month of absence can be deducted from the total required annual training hours. The table below may be used in calculating the required number of annual child care training hours for a new employee. (This is in addition to the required 2.5 hours of preservice training.) In the first column, find the month that the employee started work at the facility. Move horizontally across that row to the month that the provider’s child care license expires. For example, if an employee began work in May and the provider’s license expires in October, the new employee would need 3.75 hours of training before the end of October.

**Annual Training Time Required for Employees Hired Partway Through Licensing Year**  
**Month Child Care License Ends**

| Month Person Started | Jan     | Feb     | Mar     | April   | May     | June    | July    | Aug     | Sept    | Oct     | Nov     | Dec     |
|----------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Jan                  | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 hr | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr |
| Feb                  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 hr | 6 hr    | 6.75 hr | 7.5 hr  |
| March                | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hrr   | 6.75 hr |
| April                | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hr    |
| May                  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  |
| June                 | 5.25 h  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  |

|      |         |         |         |         |         |         |         |         |         |         |         |         |
|------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| July | 4.5 hr  | 5.25 hr | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr |
| Aug  | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr | 3 hr    |
| Sept | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  | 2.25 hr |
| Oct  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   | 1.5 hr  |
| Nov  | 1.5 hr  | 2.25 hr | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 hr | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       | 45min   |
| Dec  | 45min   | 1.5 hr  | 4.5 hr  | 3 hr    | 3.75 hr | 4.5 hr  | 5.25 h  | 6 hr    | 6.75 hr | 7.5 hr  | 8.25 hr | 0       |

### Risk Level

Moderate

### Corrective Action for 1st Instance

Citation Warning when a caregiver:

- Did not receive 2-1/2 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the annual child care training hours by the license expiration date.
- Began employment partway through the licensing year and did not complete the required number of annual training hours by the license expiration date.

### Risk Level

Low

### Corrective Action for 1st Instance

Warning when a caregiver:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

**(10) The provider shall ensure that any other employees such as drivers, cooks, and clerks:**

- pass a CCL background check;
- receive at least 2-1/2 hours of preservice training before beginning job duties;
- know and follow any applicable laws and requirements under R381-40, and
- do not have unsupervised contact with any child in care, including during offsite activities and transportation, if the employee is younger than 18 years old.

### Rationale/Explanation

The purpose of this rule is to ensure that the interaction between all employees and children is appropriate and in accordance with licensing rules. CFOC 4th ed. Guiding Principle 4. p.p. xix.

### Compliance Guidelines

- Each employee must pass a background check according to the rules found in “Section 8:

### Background Checks.”

- Personnel records must verify that each employee completed preservice training according to rule.
- Any employee who cares for children (regardless of their other job duties) must be at least 16 years old and receive annual child care training.
- Only caregivers and employees who are 18 years of age or older may be unsupervised with children. Unsupervised means being in a room or area alone with children.
- If a covered individual takes on caregiving responsibilities and tasks, they become a caregiver.

### Risk Level

Moderate

### Corrective Action for 1st Instance

Citation Warning when an employee:

- Did not receive 2-1/2 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.

### Risk Level

Low

### Corrective Action for 1st Instance

Warning when an employee:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

### **(11) The provider shall ensure that volunteers:**

- (a) pass a CCL background check; and**
- (b) do not have unsupervised contact with any child in care, including during offsite activities and transportation, if the volunteer is younger than 18 years old.**

### Compliance Guidelines

- Each individual who volunteers at the child care facility at any time a child is in care (except the parent of an enrolled child) is required to have a background check in accordance with rules in “Section 8: Background Checks.”
- If an individual volunteers only when there are no children in care, for example, they only volunteer after child care hours, they will not be required to have a background check.
- Licensing statute defines child care as care for children through age 12 years and for children with disabilities through age 18 years. Thirteen- to fifteen-year-olds are not considered children in care. If they help care for younger children (and are not paid), they are considered volunteers and must meet the requirements of a volunteer.
- It is a rule violation if a child is left in the care of a volunteer who is younger than 18 years old.

### **Risk Level**

High

### **Corrective Action for 1st Instance**

Citation and CMP Warning

**(12) The provider shall ensure that guests:**

- (a) do not have unsupervised contact with any child in care, including during offsite activities and transportation; and**
- (b) wear a guest nametag.**

### **Compliance Guidelines**

- A guest may not be alone in a room or area with any child in care. A caregiver or other employee who is at least 18 years old and has passed a CCL background check must be in the same room or area.
- The required nametag must have the word "Guest" on it. Other information is optional.

### **Risk Level**

High

### **Corrective Action for 1st Instance**

Citation and CMP Warning when:

- A guest has unsupervised contact with a child in care.

### **Risk Level**

Low

### **Corrective Action for 1st Instance**

Warning when:

- A guest does not wear a nametag.

**(13) The provider shall ensure that student interns who are registered and participating in a high school or college child care course:**

- (a) do not have unsupervised contact with any child in care, including during offsite activities and transportation; and**
- (b) wear a guest nametag.**

### **Compliance Guidelines**

- A student intern may not be alone in a room or area with any child in care. A caregiver or other employee who is at least 18 years old and has passed a CCL background check must be in the same room or area.
- The required nametag must have the words "Student Intern" or "Guest" on it. Other information is optional.

### **Risk Level**

High

### **Corrective Action for 1st Instance**

Citation and CMP Warning when:

- A student intern has unsupervised contact with a child in care.

### **Risk Level**

Low

### **Corrective Action for 1st Instance**

Warning when:

- A student intern does not wear a nametag.

**(14) The provider shall ensure that parents of children in care do not have unsupervised contact with any child in care, except with their own children.**

### **Compliance Guidelines**

If a parent is employed at the child care program, they must have a background check and meet other personnel requirements as stated in rule.

### **Risk Level**

High

### **Corrective Action for 1st Instance**

Citation and CMP Warning

**(15) The provider shall ensure that household members who are:**

- (a) 12 to 17 years old pass a CCL background check and do not have unsupervised contact with any child in care, including during offsite activities and transportation; and**
- (b) 18 years old or older pass a CCL background check that includes fingerprints.**

### **Compliance Guidelines**

- Each household member who is 12 years old or older must pass a background check according to the rules found in "Section 8: Background Checks."
- A household member who is younger than 18 years old may not be alone with any child in care in the facility, during transportation, or during offsite activities. A caregiver or other adult who is at least 18 years old and has passed a CCL background check must be present.

### **Risk Level**

High

### **Corrective Action for 1st Instance**

**(16) The provider shall ensure that individuals who provide Individualized Educational Plan (IEP) or Individualized Family Service plan (IFSP) services such as physical, occupational, or speech therapists:**

- (a) provide proper identification before having access to the facility or to a child at the facility; and**
- (b) have received the child's parent's permission for services to take place at the facility.**

#### **Rationale/Explanation**

Releasing a child into the care of an unauthorized person may put the child at risk. CFOC 4th ed. Standard 9.2.4.8 p.p. 401.

#### **Compliance Guidelines**

- If the parent of a child with an IEP (Individualized Education Program) or an IFSP (Individualized Family Service Plan) has an agreement with a school or other agency for their child to receive services at the child care facility, the individual providing the services is not required to have a CCL background check.
- With proper authorization and identification, the child may be left alone with the individual providing IEP or IFSP services.
- While services are being offered, the child will be considered the responsibility of the school or other agency.

#### **Risk Level**

Moderate

#### **Corrective Action for 1st Instance**

Citation Warning

**(17) The provider shall ensure that individuals from law enforcement, Child Protective Services, the department, and any similar entities provide proper identification before having access to the facility or to a child at the facility.**

#### **Compliance Guidelines**

With proper identification, a child may be left alone with a law enforcement officer or a caseworker from Child Protective Services (CPS).

#### **Risk Level**

Moderate

#### **Corrective Action for 1st Instance**

Citation Warning

**(18) The provider shall ensure that preservice training includes at least the following topics:**

- (a) job description and duties;
- (b) current department rule Sections R381-40-7 through R381-40-22;
- (c) disaster preparedness, response, and recovery;
- (d) pediatric first aid and cardio pulmonary resuscitation (CPR);
- (e) children with special needs;
- (f) safe handling and disposal of hazardous materials;
- (g) prevention, signs and symptoms of child abuse and neglect, including child sexual abuse, and legal reporting requirements;
- (h) principles of child growth and development, including brain development;
- (i) recognizing the signs of homelessness and available assistance;
- (j) a review of the information in each child's health assessment in the caregiver's assigned group including allergies, food sensitivities, and other special needs; and
- (k) an introduction and orientation to the children in care.

### Rationale/Explanation

Orientation ensures that all staff members receive specific and basic training for the work they will be doing and are informed about their new responsibilities. Training ensures that staff members are challenged and stimulated, have access to current knowledge, and have access to education that will qualify them for new roles. CFOC 4th ed. Standard 1.4.2.1 p.p. 23.

### Compliance Guidelines

- Preservice records must confirm that all individuals who are new to the child care program have received preservice training in all of the required areas.
- Training documentation may be kept as a hardcopy or electronically.
- Pediatric first aid and cardio pulmonary resuscitation (CPR) training does not have to include certification.
- An optional technical assistance form to document preservice training is available on the website under [Forms and Documents](#).

### Risk Level

Low

### Corrective Action for 1st Instance

Warning

- (19) The provider shall keep documentation of each individual's preservice training on-site for review by the department and shall ensure that documentation includes at least the following:
- (a) training topics,
  - (b) date of the training, and
  - (c) total hours or minutes of training.

### Compliance Guidelines

- The provider may use their own method of documenting each person's preservice training as long as the requirements of this rule are met.
- An optional technical assistance form to document preservice training is available at: [childcarelicensing.utah.gov/Forms.html](http://childcarelicensing.utah.gov/Forms.html).

### Risk Level

Low

### Corrective Action for 1st Instance

Warning

**(20) The provider shall ensure that annual child care training includes at least the following topics:**

- (a) current department rule Sections R381-40-7 through R381-40-22;**
- (b) disaster preparedness, response, and recovery**
- (c) pediatric first aid and CPR;**
- (d) children with special needs;**
- (e) safe handling and disposal of hazardous materials;**
- (f) the prevention, signs and symptoms of child abuse and neglect, including child sexual abuse, and legal reporting requirements;**
- (g) principles of child growth and development, including brain development;**
- (h) recognizing the signs of homelessness and available assistance.**

### Rationale/Explanation

Because of the nature of their caregiving/teaching tasks, caregivers/teachers must attain multifaceted knowledge and skills. Child health and employee health are integral to any education/training curriculum and program management plan. CFOC 4th ed. Standards 1.4.4.1 p.p. 28.

### Compliance Guidelines

- Annual training must include a review of each licensing rule in sections 40-7 through 40-24 and not just the general category of the rule section.
- Training records must verify that each individual received training on the topics listed in this rule as well as licensing rules.
  - An optional technical assistance form to record each individual's annual training can be found under "[Forms and Documents](#)".
  - Training documentation may be kept as a hardcopy or electronically.
- Complete training records must be available for review at the annual Announced Inspection or submitted to CCL by the license expiration date.
  - To submit the documentation, the provider may mail, fax, or email it to CCL, or upload it on the provider's Child Care Licensing portal.



- Pediatric first aid and cardio pulmonary resuscitation (CPR) training can include full certification, but does not have to include certification.

Examples of approved child care training may include:

- Training offered by CCL on licensing rules
- All classes offered by [Care About Childcare](#)
- Classes and workshops at child care, early childhood, and parenting conferences
- Training conducted at in-house staff meetings, but only the training portion (Business matters, such as assignments and work schedules, do not count toward training hours)
- Any high school or college class in child development or related subject (Hours of attendance count as clock time if the student attends in person as opposed to working online or independent study. One semester credit equals 15 clock hours and one quarter credit equals 10 clock hours.)
- Attendance at a CCL Committee meeting
- Training by a child care association, if the certificate has “child care related” in the topic
- Researching and planning curriculum (but not the time spent preparing materials such as making copies and presenting curriculum to the children)
- Watching recordings of webinars on topics relating to child care
- Reading books and watching videos related to child care
- Doing homework for a high school or college child development class
- Using training packets or watching recordings offered by Care About Child Care
- Listening to the audio recording of the Center Committee Meeting

The following topics and classes do not count toward annual child care training:

- Self-help classes such as anger or stress management
- Time spent doing yoga or meditating
- Technical assistance from CCL staff
- ESL and other language classes
- Craft classes, such as origami, scrapbooking, sewing, etc.
- Attendance at a child’s classes or lessons, such as music or dance lessons
- Watching reality TV and talk shows
- Preparing (making copies, cutting, etc.) and presenting curriculum to children
- Volunteering in a classroom
- Obtaining and submitting fingerprints to CCL
- DWS policy-related webinars

## Risk Level

Low

## Corrective Action for 1st Instance

Warning

- (21) The provider shall ensure that documentation of each individual's annual child care training is kept on-site for review by the department and includes the following:
- (a) training topic,
  - (b) date of the training,
  - (c) name of the individual or organization that presented the training; and
  - (d) total hours or minutes of training.

#### Rationale/Explanation

The training record should be used to assess each employee's need for additional training and to provide regulators with a tool to monitor compliance. CFOC 4th ed. Standard 9.4.3.3 p.p. 425-426.

#### Compliance Guidelines

- There must be a training record for each individual as required by rule.
- Each training record must include the information listed in rule. An optional technical assistance form may be used to record annual training. The form is available under "[Forms and Documents](#)."
- Training documentation may be kept as a hardcopy or electronically.
- Complete training records must be available for review at the annual Announced Inspection or submitted to CCL by the license expiration date.

#### Risk Level

Low

#### Corrective Action for 1st Instance

Warning

- (22) When there are children at the facility, the provider shall ensure that there is at least one staff member present who can demonstrate English literacy skills needed to care for children and respond to emergencies.

#### Rationale/Explanation

Caregivers need at least basic English literacy skills in order to perform essential functions in protecting children's health and safety, such as reading warning labels on chemicals, instructions on medications and medication authorization forms, emergency information on child enrollment forms, information on a child's health assessment, and instructions on a fire extinguisher.

#### Compliance Guidelines

- This rule will be considered out of compliance if a child's health or safety has been jeopardized due to a violation of this rule, and

- There is no other licensing rule that specifically addresses the situation

### **Corrective Action for 1st Instance**

The corrective action will be based on the severity of harm that was caused or likely to be caused as a result of a rule violation.

- (23) The provider shall ensure that at least one staff member with a current Red Cross, American Heart Association, or equivalent pediatric first aid and CPR certification is present when children are in care:**
- (a) at the facility;**
  - (b) in each vehicle transporting children; and**
  - (c) at each offsite activity.**

### **Rationale/Explanation**

Knowledge of pediatric first aid, including pediatric CPR which addresses management of a blocked airway and rescue breathing, and the confidence to use these skills, are critically important to the outcome of an emergency situation. CFOC 4th ed. Standards 1.4.3.1 p.p. 26.

### **Compliance Guidelines**

The person with a current first-aid certification and the person with a current CPR certification do not have to be the same person.

- CPR training must be Red Cross or American Heart Association certified or be equivalent. A first-aid certification from any source is acceptable.
  - Current certification for RNs, LPNs, or First Responders will be accepted for both CPR and first aid. Due to differences in training courses, a CNA certificate is not an approved CPR certification.
- CPR certification must include pediatric CPR training.
  - Training that includes basic life support (BLS) meets this requirement. (The card or certificate may not have the words “pediatric” or “infant and child” written on them.)
  - Although child CPR training is required, training on infant CPR is optional if the provider does not enroll infants or toddlers.
- The CPR and first aid certification must be current.
  - The expiration date on the first-aid and CPR card determines whether the certification is current.
  - When there is no expiration date on the card, and the issue date is less than a year old, the certification is considered current.

-When the expiration date on the card has been added or altered, the trainer will need to verify that the certification is current.

#### **Risk Level**

Moderate

#### **Corrective Action for 1st Instance**

Citation Warning

**(24) The provider shall ensure that CPR certification includes hands-on testing.**

#### **Rationale/Explanation**

Pediatric CPR skills should be taught by demonstration and practice to ensure the technique can be performed in an emergency. CFOC 4th ed. Standard 1.4.3.1 p.p. 24

#### **Compliance Guidelines**

Online CPR training does not meet the requirement of this rule, unless there is a hands-on training component in addition to the online part of the training.

#### **Risk Level**

Moderate

#### **Corrective Action for 1st Instance**

Citation Warning

**(25) The provider shall ensure that the following records for each covered individual are kept on-site for review by the department:**

- (a) the date of initial employment or association with the program;
- (b) a current pediatric first aid and CPR certification, if required under R381-40; and
- (c) a six-week record of the times worked each day.

#### **Rationale/Explanation**

Maintaining complete records on each staff person employed at the facility is a sound administrative practice. CFOC 4th ed. Standard 9.4.3.1 p.p. 424.

Documentation of current certification of satisfactory completion of pediatric first aid and demonstration of pediatric CPR skills in the facility assists in implementing and in monitoring for proof of compliance. CFOC 4th ed. Standard 1.4.3.1 p.p. 26

#### **Compliance Guidelines**

- A six-week record of the times worked each day is required for all individuals employed at the facility.
- Training documentation may be kept as a hardcopy or electronically.

#### **Risk Level**

Low

#### **Corrective Action for 1st Instance**

Warning